

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 75

HOUSE BILL 2084

AN ACT

AMENDING SECTION 15-460, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT BOUNDARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-460, Arizona Revised Statutes, is amended to
3 read:

4 15-460. Change of school district boundaries

5 A. On request of the governing board of a school district or on
6 receipt of a petition bearing the signatures of ten per cent or more of the
7 qualified electors residing in the school district to change the boundaries
8 of the school district in such a manner as to include adjacent unorganized
9 territory, setting forth the boundaries desired and the reasons for such
10 change, the county school superintendent shall submit the question of
11 including the unorganized territory within the existing school district to
12 the qualified electors of the new proposed school district. The election
13 shall be held as provided in section 15-459, except that a majority of the
14 qualified electors voting on the question in the unorganized territory and
15 a majority of the qualified electors voting on the question in the existing
16 school district must approve the change. If approved, the change is
17 effective from and after June 30 next following the election.

18 B. When ten per cent or more of the qualified electors residing in a
19 school district desire that the boundaries of the school district be
20 diminished, they may present a petition to the county school superintendent
21 setting forth the change of boundaries desired and the reasons for such
22 change. The county school superintendent shall prepare and transmit to the
23 governing board of the school district proposed to be diminished a report
24 providing specific information regarding the future availability of
25 educational programs in the area of the district to be detached and in the
26 area which will constitute the remaining district, availability of pupil
27 transportation services and the financial impact on taxpayers. The governing
28 board shall mail or distribute the report to all households located in the
29 school district. The county school superintendent shall submit the question
30 of diminishing the school district boundaries to the qualified electors of
31 the school district. The election shall be held as provided in section 15-
32 459. A majority of the qualified electors voting on the question in the
33 territory to remain in the existing school district and a majority of the
34 qualified electors voting on the question in the territory to be excluded
35 must approve the change. If approved, the change is effective from and after
36 June 30 next following the election.

37 C. Notwithstanding subsections A and B of this section and this
38 chapter, the governing boards of two adjacent common, union or unified school
39 districts may authorize minor boundary adjustments to both school districts
40 AND THE GOVERNING BOARDS OF A UNIFIED SCHOOL DISTRICT AND ADJACENT COMMON AND
41 UNION HIGH SCHOOL DISTRICTS MAY AUTHORIZE MINOR BOUNDARY ADJUSTMENTS TO THE
42 THREE SCHOOL DISTRICTS if all of the following are true:

43 1. ~~The two adjacent common, union or unified school districts~~
44 AUTHORIZING THE BOUNDARY ADJUSTMENT have not previously made more than one
45 minor boundary adjustment pursuant to this subsection.

1 2. A majority of the electors within the geographic boundaries of a
2 portion of a school district, as specified in the petition, presents a
3 petition to the governing boards of both the district OR DISTRICTS in which
4 the petitioners currently reside and the district to which the petitioners
5 desire to be annexed. IF THERE ARE NO ELECTORS WITHIN THE GEOGRAPHIC
6 BOUNDARIES OF THE TERRITORY TO BE ANNEXED, A MAJORITY OF THE PROPERTY OWNERS
7 IN THE TERRITORY MAY SUBMIT THE PETITION. The petition shall set forth the
8 boundaries of the portion of the district to be annexed.

9 3. A majority of the members of the governing boards of each district
10 approves the minor boundary adjustment.

11 4. The boundary adjustment would result in the transfer of no more
12 than one and one-half per cent of the student count of the district from
13 which the pupils will transfer.

14 5. The boundary adjustment would not result in the transfer of any
15 school buildings, equipment or furnishings from one school district to the
16 other ANOTHER SCHOOL DISTRICT.

17 6. No member of the governing board of the school district to be
18 diminished is a resident of the territory that is being transferred to the
19 adjacent school district.

20 7. The governing boards of the school districts have agreed on a means
21 to satisfy any liabilities.

22 D. If a majority of the members of the governing boards of both SCHOOL
23 districts to which petitions were presented pursuant to subsection C of this
24 section approves the petitions, the petitions shall be transmitted with the
25 endorsements of the governing boards to the county school
26 superintendent. The county school superintendent, if no petition opposing
27 annexation signed by a majority of the school electors representing either
28 the resident district or the district to which annexation is proposed is
29 received within fifteen days after the transmittal of the petition requesting
30 annexation, shall make the records of boundaries conform to the petition for
31 annexation and notify the boards of supervisors and the county assessor of
32 the boundary change. The change is effective from and after June 30 next
33 following the notification of the boards of supervisors.

34 E. Notwithstanding subsection A of this section, if the qualified
35 electors residing in a school district have previously voted to accept
36 unorganized territory into the district's boundaries in two consecutive
37 elections called for this purpose, the school district governing board may
38 annex any election precinct within the unorganized territory that is
39 contiguous to the school district if both of the following conditions exist:

40 1. At least one hundred fifty pupils who reside in the election
41 precinct are enrolled in one or more school districts in the county.

42 2. The qualified electors of the precinct have previously voted in
43 favor of the annexation.

~~APPROVED BY THE GOVERNOR APRIL 29, 2002.~~

Passed the House April 3, 2002,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

[Signature]
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate April 28, 2002,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2002

at 11:01 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 29th day of

April, 2002,

at 2:04 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of April, 2002,

at 11:50 o'clock A M.

[Signature]
Secretary of State

H.B. 2084